

**MINUTES**  
**RICHHOOD CITY COUNCIL**  
Regular Meeting, Thursday, September 20, 2012  
Richwood City Hall  
215 Halbert  
Richwood, TX 77531  
7:00 P.M.

**I. CALL TO ORDER**

The meeting was called to order at 7:00 p.m. by Clint Kocurek, Mayor and presiding officer.

A. Opening Prayer

The opening prayer was given by Councilman Bryant.

B. Pledge of Allegiance

The Pledge of Allegiance was recited by those in attendance.

C. Texas Pledge of Allegiance

The Texas Pledge of Allegiance was recited by those in attendance.

**II. ROLL CALL OF COUNCIL MEMBERS**

Roll call showed the following members present:

Clint Kocurek, Mayor and presiding officer  
Roy Welch, Council, Position #1  
John Pitts, Council, Position #2 and Mayor Pro Tem  
Lee Bryant, Council, Position #3  
Morgan Laird, Council, Position #4  
Donna Lacy, Council, Position #5

A quorum was declared. Others present included Glenn Patton, City Administrator, Karen B. Schrom, City Secretary, Brad Caudle, Police Chief, Adam Sierra, John D. Mercer, City Engineer, Andrea and Amando Contreras, Janet and Gary Eames, Shelley and Dan Johnson, Scott Litton, Ronald Russell, Osdi and Fiorella Duarte, Dena Pate, and Stefanie Novak.

**III. APPROVAL OF MINUTES OF PREVIOUS MEETING**

On motion by Councilman Welch, seconded by Councilman Pitts, with all members present voting aye, it was duly adopted to approve the minutes of August 9, 2012, August 13, 2012 and September 10, 2012.

**IV. ANYONE WISHING TO ADDRESS COUNCIL**

There was no one present who wished to address Council on matters not on the agenda.

V. **DISCUSSION AND ACTION ITEMS**

A. City's plan for road improvements, drainage and enforcing the mowing ordinance in Oakwood Shores

The Oakwood Shores Homeowner's Association and residents sent in a list of questions (attached as Exhibit A) with their request to be on the agenda. Mayor Kocurek read their list.

Ronald Russell, a member of the HOA, acted as their spokesperson. He explained that the developer left and he had been manicuring the properties. With them leaving, it has left 3 individuals on the HOA with little or no support. They would like to work as partners with the City on the landscaping. Mayor Kocurek asked if they could provide the City with the names of the property owners who are not mowing their property. This will greatly assist the City. They agreed to have that list to the City within 15 days.

Mr. Patton told the residents to call him any time. He suggested the HOA take care of the mowing by charging the residents a fee and contracting with a contractor. The City has to follow certain state mandated guidelines, give the residents notice and then give them 7 to 10 days to comply. When we get the names from the HOA, we will send the required notices. If they don't comply, then we will either mow the property or file a complaint with the Municipal Court. He suspects it will be the latter as we don't have the manpower to mow all the lots. He stated the City has mowed the outfall ditches and will do this at least twice a year. The City is not able to manicure the properties as well as the residents or a contractor would be able to do it. We mow our easements with our city tractors. He offered to attend a HOA meeting.

Mayor Kocurek explained that the City has been repairing the potholes in the roads as quickly and as efficiently as possible but we are now at the end of the fiscal year and are out of money. In the new budget, we do have more street money budgeted.

Mr. Mercer, City Engineer, explained that the City did pay to have samples pulled. The engineer designed the streets according to the minimum requirements for residential streets for Brazoria County. His plans met all the requirements. The contractor was then to build the streets based on the specifications. The testing lab indicates that 95% of the samples pulled at the time were acceptable. He is unsure of how much was testing during the construction or what areas were testing. A large part of the problems with the roads in Oakwood shores is the heavy loads from the construction vehicles turning into the driveways. He suggested that then the subdivision is near completion, the City considers a bond issue to repair all the streets. Mr. Mercer also suggested a load limit on trucks.

Mayor Kocurek stated the City has an interlocal agreement with the county to help with street maintenance and repairs. He assured the residents the City will do its best to keep the streets driveable and will continue to maintain them.

Councilman Bryant asked how load limits would affect the builders costs. Stephanie Novack said it would definitely effect her decision to build if the cost was raised enough. She would

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sell her lot and build elsewhere.

Mr. Patton stated that most of the homes out there result in 100 to 150 loads of dirt before the foundation. He knows that Mr. Peltier has cut his dirt trucks to smaller loads. As a general law city, we are limited in what we can and can't regulate. We are repairing the problems as soon as we are notified and we are working with Precinct 1 to replace asphalt. While it won't look pretty, it will seal the road.

Shelly Johnson then addressed the mowing issue and problems with fallen trees. Mr. Patton stated that the City can address those issues which fall under the health and safety code. When asked who maintains the ditches in front of the homes, he stated that if the City does it, it will be mowed by a tractor and will be rough cut. He again brought up the idea of having a contractor mow it and the other properties at the same time.

The question of the parks was brought up. The HOA owns the parks. Chief Caudle stated the Police Department is hampered by not knowing who is a property owner and who isn't. Perhaps the HOA can put up limited access to the Park. Mayor Kocurek stated that the park at Bar X has a gated access. If someone is parked outside, then the Police Department will be safe to assume they aren't a property owner. It was asked if a curfew could be established at the parks. Mr. Patton explained the City closes their park at 10 p.m.

Odis Duarte thanked the City for their support on the streets. He stated the electrical boxes are shifting and asked who's responsibility that was. Mr. Patton stated that would fall under the HOA. He explained that Centerpoint only allows the City a set number of free street lights and that most places with an active HOA, the HOA pays for the installation of additional lights. The City will add lights as safety and security calls for them.

Adam Sierra asked about clearing the lots and burning the debris. Mr. Patton stated that at the current time, the City has not received any complaints about the burning out there. He did stress the need to do the work safely and have someone out there while burning. However, as the property develops, this may change.

Council thanked everyone for attending and Mayor Kocurek stated he hoped we had been able to answer their concerns satisfactorily.

Mayor Kocurek recessed the meeting at 7:56 p.m.

Mayor Kocurek called the meeting to order at 8:08 p.m.

B. Award bids for asphalt overlay of Oyster Creek Drive

On motion by Councilman Bryant, seconded by Councilman Laird, with all members present voting aye, it was duly adopted to award the bid for the asphalt overlay of Oyster Creek Drive to the low bidder of Garner Paving and Construction LTD of Angleton, TX based on Mr. Mercer's recommendation.

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C. Crime Control and Prevention District FY 2013 Budget

On motion by Councilman Bryant, seconded by Councilman Pitts, with all members present voting aye, it was duly adopted to approve the Crime Control and Prevention District FY 2013 Budget as presented.

D. Waste Management request for annual price increase

On motion by Councilman Pitts, seconded by Councilman Welch, with all members present voting aye, it was duly adopted to approve the rate increase of 27¢ as requested by Waste Management.

E. FY 2012 Budget Amendment #2

In General Fund, \$150,000 was transferred from Fund Balance for the work on Oyster Creek Drive. Revenues were increased to reflect this. On the expenditure side, engineering in Administration was increased by \$20,000 and Street Projects in Streets and Drainage was increased by \$130,000.

In the Replacement Fund, revenues were increased by \$5,500. The City adopted a policy of depositing the money from the sale of metals and equipment back into this fund to help replenish it. The expenditures were increased to pay for the following:

PD Computer	\$ 674.00
36" dipper bucket for backhoe	\$1,836.00
Finishing mower	\$4,870.00

Capital Projects for General Fund is being amended to reflect the proceeds from the 2012 Certificates of Obligations and the current year expenses for the new City Hall building.

Capital Projects for Water Sewer is being amended to reflect the 2012 costs of installing the two new water wells.

On motion by Councilman Bryant, seconded by Councilman Lacy, with all members present voting aye, it was duly adopted to approve FY 2012 Budget Amendment #2 as presented.

F. Road and Bridge Interlocal Agreement Fiscal Year 2013

On motion by Councilman Pitts, seconded by Councilman Bryant, with all members present voting aye, it was duly adopted to approve the Road and Bridge Interlocal Agreement Fiscal Year 2013 as presented.

G. Contract with South Brazos Crossing LTD for Distribution of Water Tap Fees

The City has entered into contracts like this before, specifically with Audubonwoods Development for Audubonwoods I and II. In subdivision developments like this one, all the

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water and sewer lines are put in by the developer. This lowers the cost to the City.

The terms of this contract are the same as the one with Audubonwoods Development. South Brazos Crossing will receive \$375.00 for the water and sewer taps and the remainder will go to the City.

On motion by Councilman Bryant, seconded by Councilman Laird, with all members present voting aye, it was duly adopted to approve the Contract with South Brazos Crossing LTD for Distribution of Water Tap Fees.

H. City of Richwood Proposed Charter

The adoption of a charter is the most important step the City has to make to become home rule. If it meets your approval, it will then be mailed out to all the residents of Richwood, placed on the City's web page and then placed on the 2013 Ballot for formal adoption by the voters. If adopted, then the City will go from a general law city to home rule.

The only criteria, other than a charter, is that the city have a population of 5,000. Even though the 2010 census places us below that number, city staff estimates the actual population of Richwood is closer to 5,125. This is based on the number of utility connections x 3.1 which is the average household in this area. Recently we received an estimate from Texas Commission for Environmental Quality (TCEQ) of 4,905 for Richwood which is much closer to our estimates than the federal government and lends credence to our calculations.

This proposed Charter is the culmination of work and research done by the City Attorney and city staff. In drafting this Charter, they relied heavily on TML's Texas Home Rule Charters Manual, Ed. 2010 and neighboring cities charters.

On motion by Councilman Pitts, seconded by Councilman Bryant, with all members present voting aye, it was duly adopted to table this item until after a workshop is held.

I. City of Richwood's Vision Statement as proposed by the Richwood 2020 Committee

"One of the single most important elements of successfully implementing a comprehensive plan and developing a city into a thriving, livable community is to develop and adopt a community vision statement."

That is quoted directly from the Richwood Comprehensive Plan: Executive Summary. In it, they offered three proposed vision statements they developed based upon input from city residents. This information came from the community survey, input from city officials, data, trends and forecasts developed through research and analysis.

The Richwood 2020 Committee chose their preferred choice, adding only that it is also a safe community. They respectively submit the following vision statement and request that Council adopt it.

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**“Share Life; Enjoy Nature. A friendly, nurturing, safe community where you feel right at home, know your neighbors, and enjoy nature’s treasures.”**

On motion by Councilman Bryant, seconded by Councilman Laird, with all members present voting aye, it was duly adopted to adopt the Vision Statement as proposed by the Richwood 2020 Committee.

J. 2011 CDBG Storm Drainage and Sidewalk Improvements

It was reported that the City will receive additional \$33,155.42 funding for our project this year. This money is money that comes back from cities that didn’t use all their money. It will have to be repaid next year from the \$190,000 scheduled to be received.

K. Appointment of representative and alternate to H-GAC

On motion by Councilman Bryant, seconded by Councilman Welch, with all members present voting aye, it was duly adopted to appoint Donna Lacy as the representative and John Pitts as the alternate to the H-GAC General Council.

L. 2012 Board of Trustee Election - TML Intergovernmental Employee Benefits Pool

On motion by Councilman Bryant, seconded by Councilman Pitts, with all members present voting aye, it was duly adopted to cast the City of Richwood’s vote for Cindy King, City Manager of Sweeny for the TML Intergovernmental Employee Benefits Pool.

M. TML Intergovernmental Risk Pool Board of Trustees Election

On motion by Councilman Bryant, seconded by Councilman Laird, with all members present to abstain from the vote for the TML Intergovernmental Risk Pool Board of Trustees Election.

N. Report from Police Chief

Brad Caudle, Police Chief, thanked everyone for being strong supporters of the Police Department. On January 10<sup>th</sup>, we began dispatch services through Lake Jackson and it has turned out to be a very positive move. It has increased our technological abilities and has improved officers efficiency.

To date, including traffic contacts, we have run 7,828 calls this fiscal year. Current projects include licensing officers to issue citations off the laptops instead of the handhelds. Chief Caudle reported that he’d built a gun range at his home and the officers will qualify twice a year.

Once the City moves into the new building, the records will be moved from the old conex building and the Police Department will take it over. They plan on using it as a more convenient place to process evidence. Sergeant Bailey is now a certified crime scene officer.

Future goals include adding manpower, increasing the number of laptops and printers so that

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each car will be outfitted with one. The Police Department will continue to strive to be community oriented.

Chief Caudle stated that they are looking to add a Ford Police Interceptor SUV to the fleet in next year's budget. Mayor Kocurek stated that there is enough money in the Police Department's budget for this year to purchase a vehicle before year end. The Crime Control and Prevention District will equip both vehicles.

Council thanked the Chief for all the work the Police Department does.

O. Payment of bills

On motion by Councilman Bryant, seconded by Councilman Welch, with all members present voting aye, it was duly adopted to pay the bills as presented.

P. Financial Report

Par for the period ending August 31 is 8% remaining. It was reported that a mistake was found in the Police Department budget and has since been fixed.

**VI. CITY MANAGER'S REPORT**

Mr. Patton reported that Uretex is back in town and is making a lot of progress. We did find a problem during the work with the manhole on Magnolia Lane. The lip around it has deteriorated to the point that it is dangerous and there is more rebar than concrete. We will need to rehabilitate the manhole before the asphalt overlay and it will be under \$5,000.

He met today with representatives on the proposed apartment complex. It looks like it will happen on the 20 acre Oakwood Shores property. They are looking to develop 10 acres in the back and then use the rest for commercial. The property will need to be rezoned and the Zoning Ordinance needs to be changed to allow for 3 story apartments.

The City now has a Subway shop. It has opened in the Richwood Food Market.

He met with Bobby Weaver about the proposed addition to Audubon Woods II subdivision on the old Carr property. He is interested in us building the lift station. He is also working on the proposed drainage.

The proposed plan for the Council Chambers in the new City Hall calls for seating of up to 65 people. The podium will set up to 9 people and will be curved. There will closet space to be used for a media storage room. On the walls, it is planned to add two LCD TVs to be mounted. There are plans for a remote control screen and projector to hang from the ceiling and computer monitors for every other seat.

**VII. FUTURE AGENDA ITEMS**

Charter Workshop meeting on September 25<sup>th</sup> at 6:00 p.m.  
Report from City Secretary

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VIII. **COMMITTEE REPORTS**

There were no committee reports

IX. **MAYOR'S REPORT**

There was no Mayor's report.

X. **ADJOURNMENT**

With no further business to discuss, the meeting was adjourned at 9:19 p.m.

APPROVED BY A MAJORITY VOTE OF COUNCIL ON OCTOBER 18, 2012

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Clint Kocurek, Mayor

ATTEST:

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Karen B. Schrom, City Secretary